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RESOLUTION NO. 6149

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, MAKING ITS INTENTION AND DETERMINATION IN THE MATTER OF ORDINANCE OF INTENTION NO. 2048; AND TO THE CITY ENGINEER AND TO THE CITY CLERK AS PROVIDED IN SECTION 3330 OF THE CALIFORNIA GOVERNMENT CODE, AND TO THE CITY ENGINEER AND TO THE CITY CLERK AS PROVIDED IN SECTION 3331 OF SAID CODE; AND TO THE CITY ENGINEER IN THE MATTER OF VACATING A PORTION OF CRESTMORE AVENUE.

WHEREAS, the City Council of the City of Riverside, California, adopted an ordinance of intention, No. 2048, pursuant to the provisions of the Street Vacation Act of 1941, being Part 7, Division 9 of the Streets and Highways Code of the State of California, declaring its intention to vacate a portion of Crestmore Avenue, therein and hereinafter described; and,

WHEREAS, the matter came on regularly for hearing before said City Council at the time and place fixed for hearing by said ordinance of intention, and said City Council heard and considered all of the evidence submitted.

AND, WHEREAS, it is shown by said City Council that it has and is hereby found and determined by said City Council that said ordinance of intention was duly passed, adopted and published in the manner prescribed by law for the adopting and publishing of ordinances of said City, and the notice of said vacation proceedings and of the time and place of hearing was given by posting, as provided by the Street Vacation Act of 1941, and that the said portion of the public street therein described is unnecessary for present or prospective public purposes and should be vacated.

AND, WHEREAS, pursuant to the provisions of the said Street Vacation Act of 1941, it is hereby declared by the City Council of the City of Riverside, California, that the portion of Crestmore Avenue in the City of Riverside, County of Riverside, State of California, described as follows, to wit:

1 A portion of Crestmore Avenue, a public street
2 in the City of Riverside, as shown on the map of
3 the Rivers Tract, filed in Book 10, page 4, Records
4 of Riverside County, and further described as follows:

5 Beginning at the most northerly corner of Lot 1 of
6 said Rivers Tract which is also an angle point on the
7 southwesterly line of said Crestmore Avenue, thence
8 southeasterly along said southwesterly line a distance
9 of four hundred seventy-six and two tenths feet (476.20')
10 to a point, thence northwesterly along a curve, concave
11 to the northeast and tangent to said southwesterly line
12 at said point, having a radius of two thousand twenty-
13 five feet (2025.00'), through a central angle of twelve
14 degrees, forty-five minutes, forty seconds (12° 45' 40")
15 a distance of four hundred fifty and ninety-eight hundredths
16 feet (450.98'), to a point in the northeasterly line of
17 said Crestmore Avenue, thence northwesterly along the
18 northeasterly line of said Crestmore Avenue, a distance
19 of seventeen and fifteen hundredths feet (17.15'), more
20 or less, to an angle point in said northeasterly line of
21 Crestmore Avenue, thence southwesterly in a direct line
22 to the point of beginning;

23 be, and the same is hereby, vacated.

24 WHEREFORE, that the City Council does hereby
25 determine that the public convenience and necessity require the
26 reservation of permanent easements and rights of way at any time
27 and from time to time to construct, maintain, operate, replace,
28 remove and renew sanitary sewers, and storm drains and appurtenant
29 structures in, upon, over and across the portion of the street
30 proposed to be vacated, and pursuant to any existing franchises or
31 renewals thereof, or otherwise, to construct, maintain, operate,
32 replace, remove, renew and all use lines of pipe, conduits, cables,
wires, poles and other convenient structures, equipment and fixtures
for the operation of gas pipe lines, telegraphic and telephone lines,
railroad lines, and for the transportation or distribution of
electric energy, petroleum and its products, ammonia, water, and
incidental purposes, including access and the right to keep the
property free from inflammable materials, and wood growth, and
otherwise protect the same from all hazards in, upon and over the
street or part thereof proposed to be vacated; and to take proceed-
ings for the abatement of the portion of said street as herein-
above set forth, subject to such reservations and exceptions. It

1 is hereby declared the intention of the City of Riverside that
2 it intends to and does take advantage of all of the benefits
3 conferred pursuant to Sections 8330 and 8331 of the Streets and
4 Highways Code of the State of California.

5 I, W. G. Waite, City Clerk of said City of
6 Riverside shall cause a certified copy of this order, attested
7 by the Clerk under the seal of said City, to be recorded in the
8 office of the County Recorder of Riverside County, California.

9
10 ORDERED by the City Council, signed by the Mayor and attested
11 by the City Clerk this 20th day of April, 1954.

12
13 E. V. Dales
14 Mayor of the City of Riverside

15
16 W. G. Waite (S E A L)
17 City Clerk of the City of Riverside

18
19 I, W. G. Waite, City Clerk of the City of Riverside, California,
20 hereby certify that the foregoing resolution was duly and regularly
21 introduced and adopted by the City Council of said City at its meet-
22 ing held on the 20th day of April, 1954, by the following vote:

23 Ayes: Councilmen Backstrand, Bonnett, Chamberlain, Goodspeed, O'Neill,
24 Smutz and Voris.

25 Nones: None.

26 Absent: None.

27 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
28 the official seal of the City of Riverside, California, this 20th
29 day of April, 1954.

30
31 (S E A L) W. G. Waite
32 City Clerk of the City of Riverside

M. H. Irvine
City Engineer

ORDINANCE NO. 2048

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AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, DECLARING THE INTENTION OF THE CITY COUNCIL TO VACATE A PORTION OF CRESTMORE AVENUE; REFERRING TO MAP AS TO THE PORTION OF THE STREET TO BE VACATED; RESERVING EASEMENTS AND RIGHTS OF WAY PROVIDED IN SECTION 8330 OF THE STREETS AND HIGHWAYS CODE, AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE RESERVATION OF EASEMENTS AND RIGHTS OF WAY AS PROVIDED IN SECTION 8331 OF SAID CODE; AND SETTING THE TIME OF HEARING.

The City Council of the City of Riverside does ordain as follows:

Section 1: That it is the intention of the City Council of the City of Riverside, California, to vacate the hereinafter described portion of Crestmore Avenue in the City of Riverside, County of Riverside, State of California, as shown by map of Rivera Tract, recorded in Book 10, page 4, Records of Riverside County, upon the grounds and for the reason that said portion of said street is unnecessary for present or prospective public street purposes. The said City Council hereby elects and expresses its election to proceed to vacate said portion of said street pursuant to the provisions of the Street Vacation Act of 1941, being Part 3, Division 9 of the Streets and Highways Code of the State of California.

Section 2: That the portion of said street which it is the intention of the City Council to vacate is described as follows:

A portion of Crestmore Avenue, a public street in the City of Riverside, as shown on the map of the Rivera Tract, filed in Book 10, page 4, Records of Riverside County, and further described as follows:

Beginning at the most northerly corner of Lot 2 of said Rivera Tract which is also an angle point on the southwesterly line of said Crestmore Avenue, thence southeasterly along said southwesterly line a distance of four hundred seventy-six and two tenths feet (476.20') to a point, thence northwesterly along a curve, concave to the northeast and tangent to said southwesterly line at said point, having a radius of two thousand twenty-five

1 feet (2025.00'), through a central angle of
2 twelve degrees, forty-five minutes, forty seconds
3 ($12^{\circ} 45' 40''$) a distance of four hundred fifty and
4 ninety-eight hundredths feet (450.98'), to a point
5 in the northeasterly line of said Crestmore Avenue,
6 thence northwesterly along the northeasterly line
7 of said Crestmore Avenue, a distance of seventeen
8 and fifteen hundredths feet (17.15'), more or less,
9 to an angle point in said northeasterly line of
10 Crestmore Avenue, thence southwesterly in a direct
11 line to the point of beginning;

12 and that the portion of said street sought to be vacated is
13 shown on that certain map on file with the City Clerk of Riverside,
14 California, and reference is hereby made to said map on file.

15 Section 3: That the time of hearing is hereby set for
16 Tuesday, April 20, 1954, at 10:0 o'clock A. M. in the Council
17 Chambers located in the City Hall, Seventh and Orange Streets,
18 Riverside, California; at said time and place all persons
19 interested in or objecting to the proposed vacation may be heard.

20 Section 4: Notice of the proposed street vacation, as
21 hereinabove set forth, shall be posted conspicuously along the
22 line of the portion of the street proposed to be vacated, and
23 shall be posted not more than three hundred feet apart, but
24 there shall be at least three such postings; said notice shall
25 state the passage of the ordinance of intention, and the time
26 and place of the hearing; said notice shall be posted by the
27 Superintendent of Streets at least ten (10) days prior to the
28 date of said hearing.

29 Section 5: The City Council does hereby determine that
30 the public convenience and necessity require the reservation of
31 permanent easements and rights of way to construct, maintain,
32 operate, replace, remove and renew sanitary sewers, and storm
33 drains and appurtenant structures in, upon, over and across the
34 portion of the street proposed to be vacated, and reserving the
35 right to construct, maintain, operate, replace, remove, renew
36 and enlarge lines of pipe, conduits, cables, wires, poles and
37 other convenient structures, equipment and fixtures for the

1 operation of gas pipe lines, telegraphic and telephone lines,
2 and for the transportation or distribution of electric energy,
3 petroleum and its products, water, and incidental purposes,
4 including access, and the right to keep the property free from
5 inflammable materials, and wood growth, and otherwise protect
6 the same from all hazards in, upon and over the portion of said
7 street proposed to be vacated, and to take proceedings for the
8 abandonment of the portion of said street as hereinabove set
9 forth, subject to such reservations and exceptions.

10 Section 6: The City Clerk shall certify to the adoption
11 of this ordinance and cause it to be published once in the
12 Riverside Daily Press. This ordinance shall become
13 effective on the 30th day after the date of its adoption.

14
15 ADOPTED by the City Council and signed by the Mayor and
16 attested by the City Clerk this 2nd day of March,
17 1954.

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19 E. V. DALES
20 Mayor of the City of Riverside

21 ATTEST:

22 W. G. WAITE (SEAL)
23 City Clerk of the City of Riverside

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25 I, W. G. Waite, City Clerk of the City of Riverside, Cali-
26 fornia, do hereby certify that the foregoing ordinance was duly
27 and regularly introduced at a meeting of the City Council on the
28 23rd day of February, 1954, and that there-
29 after the said ordinance was duly and regularly adopted at a
30 meeting of the City Council on the 2nd day of March,
31 1954, by the following vote, to wit:

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Ayes: Councilmen Backstrand, Bonnett, Chamberlain, Goodspeed, O'Neill and Smutz.

Noes: None.

Absent: Councilman Voris.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 2nd day of March, 1954.

(SEAL) W. G. WAITE
City Clerk of the City of Riverside